

ORDINANCE NO. 1007AN ORDINANCE TO REGULATE THE OPERATION OF WATER WELLS IN
JOHNSON CITY

BY IT ORDAINED BY THE CITY OF JOHNSON CITY, AS FOLLOWS:

SECTION 1: Whereas, it has been determined by competent engineers thru investigation and experiment that the operation of water wells within the City and especially in certain areas thereof, in the manner hereinafter prohibited, due to an underlying of badly broken cavernous and highly limestone, has caused and will, if permitted, cause the lowering and dangerous fluctuation of the water table or zone of saturation underlying and supporting streets, sidewalks, railroads, and large buildings in the city, with the result that streets and sidewalks are sinking and buildings have collapsed, and that the operations herein prohibited, if allowed to continue, will result in danger to the general public both as to person and property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS
FOLLOWS:

SECTION 2: That it shall be unlawful for any person, firm, corporation or association to operate any water well now or hereafter existing within the boundaries described in Section 4 hereof unless and until such well shall have been cased to a depth of 150 feet from the surface of the ground with screw-joint pipe in such manner as to prevent surface and/or underground water, including percolating water, from seeping, being drawn, or otherwise entering into said well at any point or points less than 150 feet from the ground surface.

SECTION 3: That it shall be unlawful within such zone, bounded as set out in Section 4 of this ordinance, for any person, firm, corporation or association to pump, draw or in any manner take from any such water well even when cased as provided in Section 2 of this ordinance, water in excess of 50 gallons in any one minute of time.

SECTION 4: Said zone is bounded and described as follows:

BEGINNING at the center of intersection of Walnut Street and Watauga Avenue and following the center of Watauga Avenue in a northeasterly direction to the center of the intersection of Watauga Avenue and Elm Street; thence in a southerly direction following the center of Elm Street and Division Street to the center of the intersection of Division Street and East Market Street; thence in a southwesterly direction following the center of East Market Street to the center of the intersection of East Market Street and Hart Street; thence in a northerly direction along the center of Hart Street to a point two hundred (200) feet south of the southern side of West Main Street; thence in a southerly direction, in a straight line parallel with the line of West Main Street to Division Street; thence in a northerly direction following the center of Division Street to the center of the intersection of Division Street and Maple Street; thence in a westerly direction along the center of Maple Street to the center of the intersection of West Maple Street and Virginia Street; thence in a northerly direction to the center of the intersection of Virginia and Walnut Street; thence along the center of Walnut Street to the point of BEGINNING.

SECTION 5: Be it further ordained that it shall be unlawful to pump, draw or take from any well now or hereafter existing within the corporate limits of Johnson City, Tennessee, but outside the zone described in Section 4 of this ordinance, water in excess of 50 gallons in any one minute; provided, however, that water in unlimited quantities may be pumped or drawn from wells outside said zone described in Section 4 when such well is cased to a depth of 150 feet from the surface in the same manner prescribed in Section 2 hereof for wells operating within said zone.

SECTION 6: Be it further ordained that from and after the effective date of this ordinance, it shall be unlawful for any person, firm, corporation or association to dig or cause to be dug any water well within the corporate limits of the City without a written permit from the City, which permit shall issue by resolution of the Governing Body when satisfactory evidence is presented to such body that the proposed well will be dug and constructed in accordance with this ordinance, and when the party seeking the permit has agreed in writing to file with the City, when such well is dug, a log showing depth to rock, cavities encountered, the amount of casing installed and a record of test pumping showing the quantity of water and time of pumping.

SECTION 7: Be it further ordained that each violation of any section hereof shall be deemed a separate offense and shall be punished by a fine of not less than \$10.00 nor more than \$50.00.

Nov 07 01 03:44p **Beth Grimes**

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SECTION A: Be it further ordained that if any section or sections, sentence or sentences, clause or clauses of this ordinance be held to be unconstitutional or otherwise invalid, it shall not affect the remainder of this ordinance, the Board of City Commissioners hereby declaring that they would have enacted the remainder of this ordinance had such unconstitutional or invalid portion or portions thereof been added.

SECTION B: Be it further ordained that this ordinance take effect from and after its final passage and publication as required by law, the welfare of the City requiring it.

Passed first reading: 9/7/44

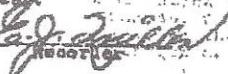
Passed second reading: 9/21/44

Passed third reading: 10/5/44

THE CITY OF DULUTH

Approved and signed in open meeting: 10/16/44


Mayor

ATTESTED:

RECORDED:

APPROVED AS TO FORM:


CITY ATTORNEY

Oct 10 1907
Attest

